



Express Mail No.: EL 564 220 161 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Kovesdi et al.	Confirmation No.:	3522
Serial No.:	10 035.952	Art Unit:	2876
Filed:	December 26, 2001	Examiner:	K. Koyama
For:	SYSTEM AND METHOD FOR AUTHORING AND PROVIDING INFORMATION RELEVANT TO A PHYSICAL WORLD	Attorney Docket No.:	11326-0003-999

**SUPPLEMENTAL RESPONSE UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Sir:

In the above-captioned case, the two representatives of each of the two inventors are required to sign communications to the US Patent Office in accordance with the decision on Noting Joinder of Inventors (Paper No. 12) dated September 12, 2002. In response to the Office Action mailed March 18, 2003 in the above captioned case on September 18, 2003, applicants filed an amendment ("the substantive September 18 response") that was not countersigned by a representative of inventor Ajit Rajasekharan.

Enclosed in this supplemental response is a communication from Mr. Tate, an attorney for inventor Rajasekharan, confirming that the substantive September 18 response is neither incorrect nor inconsistent with positions taken by inventor Rajasekharan in application No. 09/987,597 (naming only Mr. Rajasekharan as an inventor). The enclosed communication further confirms that Mr. Rajasekharan also does not intend the present application to go abandoned. However, having Mr. Tate countersign the response has continued to be challenge in view of his insistence on canceling 68 out of 70 pending claims of the present application, instead of filing the substantive September 18 response. It is believed that the withholding of formal assent from the admittedly technically correct and consistent response is a violation of the duty to cooperate imposed by the Decision in Paper 12.

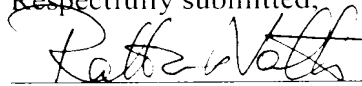
The Examiner is respectfully requested to accept the enclosed communication as a substitute assent by inventor Rajasekharan to the filing of the substantive September 18 response. This supplemental response is timely today because the US Patent Office was closed from September 18 to 21 due to Federal holidays and a intervening weekend.

Following the entry of the substantive September 18 response, all of the pending claims are placed in form for allowance. No new matter has been introduced by way of any of the amendments to the claims or the specification. Applicants respectfully request that they be allowed to proceed to issuance without delay.

No additional fee is estimated to be required for this supplemental response. Please charge any required fee to Deposit Account No. 16-1150.

Date September 22, 2003

Respectfully submitted,



Rattan Nath (Reg. No. 43,827)  
for  
Ognjan V. Shentov (Reg. No. 38,051)  
Attorneys for inventor Kovesdi  
PENNIE & EDMONDS LLP  
1155 Avenue of Americas  
New York, N.Y. 10036-2711  
(212) 790-9090



HUNTON & WILLIAMS LLP  
1900 K STREET, N.W.  
WASHINGTON, D.C. 20006-1109

TEL 202-955-1500  
FAX 202-778-3201

September 22, 2003

RODGER L. TATE  
DIRECT DIAL 202-419-2069  
EMAIL: rtate@hunton.com

**VIA FACSIMILE AND FED EX**

TREVOR Q. CODDINGTON  
DIRECT DIAL 202-955-1587  
EMAIL: tcoddington@hunton.com

FILE NO: 63044.5

Rattan Nath  
Pennie & Edmonds LLP  
1155 Avenue of the Americas  
New York, N.Y. 10036-2711

Re: U.S. Patent Application No. 10/035,952  
Filed: December 26, 2001  
Entitled: SYSTEM AND METHOD FOR AUTHORIZING AND PROVIDING  
INFORMATION RELEVANT TO A PHYSICAL WORLD  
Your Ref.: 11326-003  
Our Ref.: 63044.5

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Dear Mr. Nath:

We acknowledge receipt today of your facsimile in the evening of September 17, 2003, requesting us to countersign and return your proposed response to the United States Patent & Trademark Office's first Office Action in the above-referenced patent application. As you probably know, our office was closed on Thursday and Friday of last week due to hurricane Isabel. Your letter misstates the nature of our observations about your proposed response. Although we find your technical arguments for overcoming the outstanding prior art rejections are not incorrect or inconsistent with the technical positions that Mr. Rajasekharan has taken in his case, the overall approach of this response is certainly adverse to Mr. Rajasekharan's interests as it continues Ms. Kovesdi's pursuit of claims solely conceived by Mr. Rajasekharan, *i.e.*, renumbered claims 1-42 and 45-70. As you are certainly aware by now, these claims are being pursued in U.S. Patent Application No. 09/987,587, which based on the support provided to us by Mr. Rajasekharan correctly names himself as a sole inventor.

As we discussed via telephone earlier that same day, Mr. Rajasekharan believes that at this late stage there is only one acceptable option that preserves both parties rights in the uncontested jointly conceived subject matter, *i.e.*, submitting our proposed response sent to you on May 21, 2003. The parties can then meet to jointly analyze inventorship claim by claim in view of each side's support for the conception of the claimed invention. You agreed that such a resolution attempt was a good idea. We strongly encourage you to follow this course of action and are concerned that if you proceed to file your response without our signature, as you indicated you were inclined to do, that this will result in the application being held abandoned, which is not our client's intention.

**HUNTON &  
WILLIAMS**

Rattan Nath  
September 22, 2003  
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We note that due to the United States Patent & Trademark Office's closure this past Thursday and Friday because of Hurricane Isabel, a response filed today will be considered timely in view of the original statutory deadline of September 18, 2003.

Sincerely,



Rodger L. Tate

RLT/TQC